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HARTFORD FIRE INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HARTFORD FIRE INSURANCE
COMPANY,

Plaintiff,

vs.

TEMPUR-SEALY INTERNATIONAL, INC.,
formerly known as TEMPUR-PEDIC
INTERNATIONAL, INC. and TEMPUR-
PEDIC NORTH AMERICA, LLC,

Defendants.

Case No. 3:14-CV-01661-VC

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER TO CONTINUE
OCTOBER 14, 2014 CASE
MANAGEMENT CONFERENCE AND
RELATED DEADLINES**

Complaint filed: April 10, 2014

Plaintiff HARTFORD FIRE INSURANCE COMPANY (“Plaintiff”) and Defendants
TEMPUR-SEALY INTERNATIONAL, INC., formerly known as TEMPUR-PEDIC
INTERNATIONAL, INC. and TEMPUR-PEDIC NORTH AMERICA, LLC (“Defendants”)
(collectively, the “Parties”), through their respective counsel, hereby stipulate as follows:

WHEREAS on July 17, 2014, Plaintiff filed an administrative motion to continue the case
management conference — then set for July 29, 2014 — and all related deadlines because
Defendants had not yet been served with the summons and complaint;

WHEREAS on July 18, 2014, the Court issued an order granting Plaintiff’s administrative
motion and setting new case management deadlines as follows:

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1. October 14, 2014 at 10:00 a.m.: Case Management Conference
2. October 7, 2014: Deadline for the Parties to file a Joint Case Management Statement and Proposed Case Management Order.
3. September 23, 2014: Deadline for the Parties to meet and confer pursuant to Fed. R. Civ. P. 26(f)
4. September 23, 2014: Deadline for the Parties to file an ADR Certification signed by Parties and Counsel and file either a Stipulation to ADR Process or Notice of Need for ADR Phone Conference;

WHEREAS Defendants were served with the summons and complaint on August 7, 2014, making Defendants' deadline to file an answer or otherwise respond to Plaintiff's complaint August 28, 2014;

WHEREAS on August 25, 2014, the Parties filed a stipulation extending the time for Defendants to respond or otherwise move in response to Plaintiff's complaint to September 29, 2014;

WHEREAS Defendants have not yet filed an Answer or otherwise responded to the Complaint;

WHEREAS good cause exists for this Stipulation and proposed Order to continue the current case management schedule because after Defendants have filed a responsive pleading, the Parties will be in a better position to meet and confer regarding a proposed discovery plan and case management schedule in advance of appearing before the Court.

WHEREFORE, IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES:

That the Case Management Conference currently scheduled for October 14, 2014, be continued to December 2, 2014, at 10:00 a.m.;

That the Parties' deadline to file a Joint Case Management Statement and Proposed Case Management Order be continued to November 25, 2014;

That the Parties' deadline to meet and confer pursuant to Fed. R. Civ. P. 26(f) be continued to November 11, 2014; and

That the Parties' deadline to file their ADR Certifications and either a Stipulation to ADR

Process or Notice of Need for ADR Phone Conference be continued to November 11, 2014.

IT IS SO STIPULATED.

DATED: September 16, 2014

LAFAYETTE & KUMAGAI LLP

/s/ April P. Santos
GARY T. LAFAYETTE
APRIL P. SANTOS
Attorneys for Plaintiff HARTFORD FIRE
INSURANCE COMPANY

DATED: September 16, 2014

MINTZ LEVIN COHN FERRIS GLOVSKY &
POPEO, P.C.

/s/ Evan S. Nadel
EVAN S. NADEL
Attorneys for Defendants TEMPUR-SEALY
INTERNATIONAL, INC., formerly known as
TEMPUR-PEDIC INTERNATIONAL, INC. and
TEMPUR-PEDIC NORTH AMERICA, LLC

SIGNATURE ATTESTATION

I hereby attest that I have obtained the concurrence of Evan S. Nadel, counsel for
Defendants, for the filing of this stipulation.

/s/April P. Santos
APRIL P. SANTOS

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ORDER

THE COURT, having considered the Stipulation of the Parties and good cause appearing, orders as follows:

1. The Case Management Conference currently scheduled for October 14, 2014, is hereby vacated and continued to **December 2, 2014** at 10:00 a.m.;

2. The parties shall file a Joint Case Management Statement and Proposed Case Management Order by **November 25, 2014**, in conformity with the Standing Order for All Judges of the Northern District of California. The parties should also consult Judge Chhabria's standing orders before filing the Case Management Statement.

3. The parties shall meet and confer pursuant to Fed. R. Civ. P. 26(f) on or before **November 11, 2014**; and

4. The parties shall file an ADR Certification signed by Parties and Counsel and file either a Stipulation to ADR Process or Notice of Need for ADR Phone Conference by **November 11, 2014**.

IT IS SO ORDERED.

DATED: September 18, 2014



THE HONORABLE VINCE CHHABRIA
UNITED STATES DISTRICT JUDGE

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